

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

Steven Griffith	:	Case No. 19-10191TPA
	:	Chapter 13
Debtor(s)	:	
Steven Griffith	:	
Movant(s)	:	Related to Document #46
	:	
vs.	:	Hearing Date 10/02/2019
No Respondent	:	
Respondent(s)	:	

TRUSTEE'S RESPONSE TO EXPEDITED MOTION TO REOPEN CASE

Ronda J. Winnecour, Chapter 13 Trustee, by her undersigned counsel,  
respectfully represents the following:

1. This case was on February 28, 2019.
2. The Meeting of Creditors was originally scheduled for May 21, 2019. Debtor did not appear.
3. The Meeting of Creditors was rescheduled for June 25, 2019. At that time, debtor had made no plan payments. When queried by undersigned counsel about the plan payments, he indicated he was sending forms for automatic bank withdrawal "this week."
4. Undersigned counsel has reviewed the recording of the Meeting of Creditors.
5. The debtor was specifically shown the address printed on the Meeting of Creditors notice. He testified under oath that the address was correct.
6. Now debtor claims his address had a typographical error.
7. Since no plan payments were made, undersigned counsel scheduled a conciliation in the not too distant future to check for payments and hopefully recommend an interim confirmation order.

8. However, at the July 12, 2019 hearing, the case was dismissed for failure to remit plan payments upon the Trustee's oral motion.
9. The Trustee never received the forms necessary to process the automatic bank debit.
10. Debtor's first plan payment was due March 28, 2019 and every month thereafter.
11. On March 1, 2019 the Trustee mailed to the debtor a brochure which informs debtors in capital letters: "YOUR PAYMENTS SHOULD BEGIN IMMEDIATELY."
12. Now, the debtor claims that "he thought he had until the conciliation hearing in August to make his first payment from what was discussed at his 341 meeting."
13. Such an assertion, in the view of the Trustee, is both incredulous and disingenuous.
14. It is also belied by the fact that no payment was made on August 6, 2019 or anytime thereafter.
15. The timing of Debtor's emergency Motion suspect and indicative of a bad faith attempt to hinder and delay his creditor.

WHEREFORE, the Trustee so reports to the Court.

RONDA J. WINNECOUR,  
CHAPTER 13 TRUSTEE

Date: 09/30/19

by /s/ Jana S. Pail  
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CERTIFICATE OF SERVICE

I hereby certify that on the 30<sup>th</sup> of September 2019, I served one true and correct copy of the foregoing document on the following parties in interest by United States first-class mail, postage prepaid, addressed as follows:

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Assistant U.S. Trustee  
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Pittsburgh PA. 15222

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Conneaut Lake PA 16316

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/s/Dianne DeFoer  
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